

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, and
THE STATES OF CALIFORNIA, COLORADO,
CONNECTICUT, DELAWARE, FLORIDA,
GEORGIA, HAWAII, ILLINOIS, INDIANA,
LOUISIANA, MARYLAND, MICHIGAN,
MINNESOTA, NEVADA, NEW HAMPSHIRE,
NEW JERSEY, NEW MEXICO, NEW YORK,
NORTH CAROLINA, OKLAHOMA, RHODE
ISLAND, TENNESSEE, TEXAS, and
WISCONSIN; THE COMMONWEALTHS OF
MASSACHUSETTS and VIRGINIA; and
THE DISTRICT OF COLUMBIA;
EX REL. MICHAEL MULLEN,

Civil Action No.
CV-10-4856

(Gershon, J.)
(Tiscione, M.J.)

Plaintiffs,

v.

AMERISOURCEBERGEN CORPORATION,
AMERISOURCEBERGEN SPECIALTY
GROUP, INC., INTERNATIONAL ONCOLOGY
NETWORK, ONCOLOGY SUPPLY COMPANY,
and MEDICAL INITIATIVES, INC.,

Defendants.

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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ FEB 08 2019 ★

BROOKLYN OFFICE

STIPULATION OF DISMISSAL AND ORDER

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the Plaintiff States' respective False Claims Acts, and in accordance with the terms and conditions of the November 27, 2018 State Settlement Agreements ("Settlement Agreements") between the Plaintiff States, and Defendants AmerisourceBergen Corporation, AmerisourceBergen Specialty Group, International Oncology Network, Oncology Supply Company and Medical Initiatives Inc., (collectively, the "ABC Defendants"), the Parties hereby stipulate, through their undersigned counsel, to the entry of an order (1) dismissing with prejudice all civil monetary claims asserted on behalf of the Plaintiff States against the ABC

United States ex rel. Michael Mullen v. AmerisourceBergen Corp., et al.
CV-10-4856 (Gershon, J.)(Tiscione, M.J.)

Defendants for the Covered Conduct as defined in Paragraph II J of the Settlement Agreement, and (2) dismissing without prejudice to the Plaintiff States and with prejudice to Relator Mullen all other claims against the ABC Defendants asserted on behalf of the Plaintiff States by Relator Mullen.

Dated: Brooklyn, New York

December 14, 2018

Respectfully submitted,

For the Plaintiff States:

PAMELA JO BONDI
FLORIDA ATTORNEY GENERAL

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United States ex rel. Michael Mullen v. AmerisourceBergen Corp., et al.,
CV-10-4856 (Gershon, J.)(Tiscione, M.J.)

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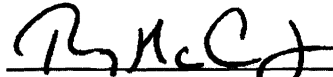
By: Suzanne E. Durrell
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United States ex rel. Michael Mullen v. AmerisourceBergen Corp., et al.,
CV-10-4856 (Gershon, J.)(Tiscione, M.J.)

For the ABC Defendants:

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By:



ERIC W. SITARCHUK
JOHN J. PEASE III
RYAN P. MCCARTHY

SO ORDERED:

Brooklyn, New York

Feb. 6, 2018⁹

/s/ Nina Gershon

HONORABLE NINA GERSHON

United States District Judge, E.D.N.Y.